

that we made in the last Congress, I believe we can draft a bill early this year that will address the remaining regulatory obstacles that exist to achieving environmentally protective and cost effective remediations.

I look forward to working, under Senator LOTT's leadership, on a bipartisan basis, with all parties interested in RCRA reform. I know that Senator SMITH, Chairman of the Environment and Public Works Subcommittee on Superfund, Waste Control and Risk Assessment, shares my commitment to reforming RCRA. This is an issue on which everyone agrees—reform is necessary, and it can be done in a way that will save money without posing a threat to human health or the environment.●

● Mr. SMITH of New Hampshire. Mr. President, I am here today to join my colleagues, Majority Leader TRENT LOTT and Environment Committee Chairman JOHN CHAFEE, in expressing support for enacting legislation this year to reform the remediation waste provisions of the Resource Conservation and Recovery Act (RCRA).

As many of my colleagues know, since I assumed the chairmanship of the Superfund, Waste Control and Risk Assessment Subcommittee, which has jurisdiction over RCRA, I have worked to bring some rational reforms to this hazardous waste law. It is well known that hazardous waste cleanups in this country take too long, are too costly, and inhibit the redevelopment of industrial brownfield sites.

Since I first introduced RCRA remediation legislation in the 104th Congress, I have worked with Senators LOTT, CHAFEE, BREAUX, BAUCUS, and LAUTENBERG, with the Clinton Administration, state governments and members of the industrial and environmental communities to achieve a bipartisan fix to this confusing and burdensome law. Despite our best efforts, we were not able to come to an agreement before the close of the 105th Congress.

However, I am eager to press forward and reach a bipartisan agreement this year. There is simply too much time and money being wasted under the current regulatory process for Congress not to take action on this important issue. In fact, according to a GAO report, as much as \$2 billion per year could be saved by making certain common sense legislative fixes to RCRA. In addition to cost savings, cleanups would be accelerated by removing bureaucratic roadblocks. Such reforms mean a win for the economy and a win for the environment.

In closing, I want to reiterate my pledge to working with Senators LOTT, CHAFEE, BAUCUS, and LAUTENBERG to reach consensus on much needed reforms to the RCRA program this year. It will certainly be one of my subcommittee's top priorities.●

TRIBUTE TO MATTHEW CONOR REPETA ON ACHIEVING THE RANK OF EAGLE SCOUT

● Mr. SMITH of New Hampshire. Mr. President, I rise today to honor Matthew Conor Repeta, of Bedford, New Hampshire, on achieving the rank of Eagle Scout. This first-rate young man was awarded the rank of Eagle Scout on September 9, 1998, by the District Eagle Board.

Matthew began scouting at the age of seven in Eagan, Minnesota, as a Tiger Cub. He advanced through the Cub Scout ranks of Bobcat, Wolf, Bear and Webelos. Matthew joined Bedford Troop 414 in 1991. While in Troop 414, he was an Assistant Patrol Leader and a Patrol Leader.

I want to commend Matthew for receiving the highest award that is attainable in Scouting. For his Eagle Project, Matthew built a handicap ramp for a local museum with other scouts from his troop. This example of service demonstrates the ideals for which scouting stands. Matthew exemplifies these qualities for which all Scouts strive: Honor, Loyalty, Courage, Cheerfulness and Service. For all of Matthew's hard work and devotion to these ideals, he has earned this coveted recognition. As the father of two former Scouts, I understand the time and effort that is involved in fulfilling the ideals of being a Scout.

I know that Matthew will continue to be a positive role model among his peers, a leader in his community, a friend to those in need and an inspiration to all. I want to extend my sincerest congratulations and best wishes to Matthew. His achievement of Eagle Scout and significant contributions to the Bedford community are truly outstanding. It is an honor to represent him in the United States Senate.●

DEATH OF MR. VICTOR STELLO, JR.

● Mr. THURMOND. Mr. President, I have the sad duty to inform the Senate of the untimely death of Victor Stello, Jr., an honored civil servant who had a very great influence on the safe operation of commercial nuclear power plants and Department of Energy nuclear facilities.

Mr. Stello came from a family of coal miners in Pennsylvania. It was from seeing the terrible toll on the health of friends and relatives in the mines that he became convinced that safe, clean nuclear power would be a great boon to our country. He worked tirelessly throughout his career to make nuclear power plants safer and safer. At the Nuclear Regulatory Commission he rose through the ranks because his singular ability and forceful personality made it clear that he was a man who got things done. In turn, he was Director of the Division of Reactor Operations, the Office of Safety and Enforcement, and the task force that investigated the Three Mile Island reac-

tor accident. Eventually he reached the highest civil service position at the Nuclear Regulatory Commission, becoming the Executive Director for Operations.

In 1989 because of his reputation for fixing problems, President Bush nominated him to be Assistant Secretary for Defense Programs at the Department of Energy. Despite the pleas of the Secretary of Energy, James Watkins, a group of antinuclear activists delayed his confirmation. Due to this delay and a subsequent serious leg injury, President Bush reluctantly acceded to Mr. Stello's request that the nomination be withdrawn.

Despite this set back, Secretary Watkins persuaded Mr. Stello to join the Department of Energy as the Principal Deputy Assistant Secretary for Safety and Quality, whose primary duty was to ferret out potentially unsafe practices in Department of Energy nuclear weapons facilities. With his forceful personality, coupled with Secretary Watkins' support and the high responsibility delegated to him by a succession of Assistant Secretaries for Defense Programs, Mr. Stello was able to break through previously impenetrable institutional barriers to effect real and lasting change.

Mr. President, it is because of Mr. Stello's tireless efforts that the Department of Energy reached a high level of safe operations, so that the Nation's critical nuclear deterrent would not become unsafe or unreliable, and that the facilities needed to maintain that deterrent could continue to operate safely.

Mr. President, I ask the Senate to join me in expressing to Mrs. Stello and the children our heartfelt condolences.●

BOZEMAN HIGH SCHOOL MARCHING BAND

● Mr. BURNS. Mr. President, I rise today to recognize the outstanding achievements of Montana's Bozeman High School marching band. On January 1, 1999, two hundred and ninety-eight of Montana's finest students performed in front of an estimated 425 million spectators in the Rose Parade in Pasadena, California.

Each New Year's Day, the world focuses its attention on Pasadena for the Tournament of Roses Parade and Rose Bowl Game. It's a celebration that is more than a century old complete with flowers, music, and sports, unequaled anywhere in the world. This is why it is such an honor to be chosen to perform on this festive day. I want to commend the accomplishments of our young folks.

The Bozeman High School Band program has a history of success in competitions statewide and across the nation. This is to the credit of Director Russ Newbury. In 1998, the band placed second overall at the Mountain West Marching Band Competition in Idaho with the Color Guard winning the show.

In Spokane, Washington, Bozeman High placed second two years consecutively at the Lilac Festival Marching Band competition. There are countless other victories for this organization, all of which tell volumes about the quality of students we raise in good ole' Montana.

I stand in front of the nation today to say "congratulations" and "a job well done" to each and every student that represented the State of Montana in this year's Rose Bowl Parade.●

COMMISSIONER ROY C. HOWES RETIREES

● Mr. ABRAHAM. Mr. President, I rise today to honor Roy C. Howes as he celebrates his retirement on January 30, 1999, from the Manistee County Board of Commissioners after forty-five years of service.

Mr. Howes possesses a unique dedication to his community evidenced by his remarkable history of achievements. Since his first term as county commissioner in the 1950's, he has witnessed first hand the dramatic changes in county government and has helped prepare Manistee County for the new millennium. Most notably, Mr. Howes drew upon his experience as a forest farmer and timber operator to institute proper forest management techniques leading to increased county revenue.

In addition to his position as county commissioner, Mr. Howes served on the Michigan Association of Township Supervisors for almost a decade, as well as the state committee that drafted a new Michigan constitution. It was his desire to help older citizens with social security and income tax issues that prompted his initial interest in politics. Mr. Howes continues his good work today by assisting disabled children and students in need of loans as chairman of the board of directors for the Michigan Rural Rehabilitation Corporation.

It is with great admiration that I salute Mr. Howes' contributions to Manistee County and the entire state of Michigan. His work inspires us all to serve to the best of our ability and reassures us that each individual can positively impact his community. I wish Mr. Howes the best of luck for his future.●

OFFICE OF COMPLIANCE REPORT TO CONGRESS

● Mr. THURMOND. Mr. President, pursuant to Section 102(b) of the Congressional Accountability Act of 1995 (2 U.S.C. sec. 1302(b)), the Board of Directors of the Office of Compliance have submitted a report to Congress. This document is titled a "Review and Report on the Applicability to the Legislative Branch of Federal Laws Relating to Terms and Conditions of Employment and Access to Public Services and Public Accommodations."

Section 102(b) requires this report to be printed in the CONGRESSIONAL

RECORD, and referred to committees with jurisdiction. Therefore, I ask that the report be printed in the RECORD.

The report follows:

OFFICE OF COMPLIANCE—SECTION 102(b) REPORT—REVIEW AND REPORT ON THE APPLICABILITY TO THE LEGISLATIVE BRANCH OF FEDERAL LAWS RELATING TO TERMS AND CONDITIONS OF EMPLOYMENT AND ACCESS TO PUBLIC SERVICES AND PUBLIC ACCOMMODATIONS

Prepared by the Board of Directors of the Office of Compliance Pursuant to Section 102(b) of the Congressional Accountability Act of 1995, 2 U.S.C. §1302(b), December 31, 1998

GLOSSARY OF ACRONYMS AND DEFINED TERMS

The following acronyms and defined terms are used in this Report and Appendices:

1996 Section 102(b) Report—the first biennial report mandated by §102(b) of the Congressional Accountability Act of 1995, which was issued by the Board of Directors of the Office of Compliance in December of 1996.

1998 Section 102(b) Report—this, the second biennial report mandated under §102(b) of the Congressional Accountability Act of 1995, which is issued by the Board of Directors of the Office of Compliance on December 31, 1998.

ADA—Americans with Disabilities Act of 1990, 42 U.S.C. §12101 et seq.

ADEA—Age Discrimination in Employment Act of 1967, 29 U.S.C. §621 et seq.

ADR—Alternative Dispute Resolution.

AG—Attorney General.

Board—Board of Directors of the Office of Compliance.

CAA—Congressional Accountability Act of 1995, 2 U.S.C. §1301 et seq.

CAA laws—the eleven laws, applicable in the federal and private sectors, that are made applicable to the legislative branch by the CAA and are listed in section 102(a) of that Act.

CG—Comptroller General.

Chapter 71—Chapter 71 of title 5, United States Code.

DoL—Department of Labor.

EEO—Equal Employment Opportunity.

EEOC—Equal Employment Opportunity Commission.

EPA—Equal Pay Act provisions of the Fair Labor Standards Act, 29 U.S.C. §206(d).

EPPA—Employee Polygraph Protection Act of 1988, 29 U.S.C. §2001 et seq.

FLRA—Federal Labor Relations Authority.

FLSA—Fair Labor Standards Act of 1938, 29 U.S.C. §201 et seq.

FMLA—Family and Medical Leave Act of 1993, 29 U.S.C. §2611 et seq.

GAO—General Accounting Office.

GAOPA—General Accounting Office Personnel Act of 1980, 31 U.S.C. §731 et seq.

GC—General Counsel. Depending on the context, "GC" may refer to the General Counsel of the Office of Compliance or to the General Counsel of the GAO Personnel Appeals Board.

GPO—Government Printing Office.

Library—Library of Congress.

MSPB—Merit Systems Protection Board.

NLRA—National Labor Relations Act.

NLRB—National Labor Relations Board.

OC—Office of Compliance.

Office—Office of Compliance.

OPM—Office of Personnel Management.

OSH—Occupational Safety and Health.

OSHAct—Occupational Safety and Health Act of 1970, 29 U.S.C. §651 et seq.

PAB—Personnel Appeals Board of the General Accounting Office.

PPA—Portal-to-Portal Act of 1947, 29 U.S.C. §251 et seq.

RIF—Reduction in Force.

Section 230 Study—the study mandated by section 230 of the Congressional Accountability Act of 1995, which was issued by the Board of Directors of the Office of Compliance in December of 1996.

Title VII—Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq.

ULP—Unfair Labor Practice.

USERRA—Section 2 of the Uniformed Services Employment and Reemployment Rights Act of 1994, 38 U.S.C. chapter 43.

VEOA—Veterans Employment Opportunities Act of 1998, Pub. Law No. 105-339.

WARN Act—Worker Adjustment and Retraining Notification Act, 29 U.S.C. §2101 et seq.

EXECUTIVE SUMMARY

In this Report, issued under section 102(b) of the Congressional Accountability Act of 1995 ("CAA"), the Board of Directors of the Office of Compliance reviews new statutes or statutory amendments enacted after the Board's 1996 Report was prepared, and recommends that certain other inapplicable laws should be made applicable to the legislative branch. In the second part of this Report, the Board reviews inapplicable provisions of the private-sector laws generally made applicable by the CAA (the "CAA laws"),¹ and reports on whether and to what degree these provisions should be made applicable to the legislative branch. Finally, the Board reviews and makes recommendations on whether to make the CAA or another body of laws applicable to the General Accounting Office ("GAO"), the Government Printing Office ("GPO"), and the Library of Congress ("Library").

Part I

After reviewing all federal laws and amendments relating to terms and conditions of employment or access to public accommodations and services passed since October, 1996, the Board concludes that no new provisions of law should be made applicable to the legislative branch. Two laws relating to terms and conditions of employment were amended, but substantial provisions of each law have already been made applicable to the legislative branch. However, the provisions of private-sector law which the Board identified in 1996 in its first Section 102(b) Report as having little or no application in the legislative branch have not yet been made applicable, and the Board's experience in the administration and enforcement of the Act in the two years since that first report was submitted to Congress has raised several new issues.

Based on the work of the 1996 Section 102(b) Report, the Board makes the following two sets of recommendations.

(1) The Board resubmits the recommendations made in the 1996 Section 102(b) Report that the following provisions of laws be applied to employing offices within the legislative branch: Prohibition Against Discrimination on the Basis of Bankruptcy (11 U.S.C. §525); Prohibition Against Discharge from Employment by Reason of Garnishment (15 U.S.C. §1674(a)); Prohibition Against Discrimination on the Basis of Jury Duty (28 U.S.C. §1875); Titles II and III of the Civil Rights Act of 1964 (42 U.S.C. §§2000(a) to 2000a-6, 2000b to 2000b-3) (prohibiting discrimination on the basis of race, color, religion, or national origin regarding the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodation as defined in the Act).

(2) After further study of the whistleblower provisions of the environmental laws (15

¹ This report uses the term "CAA laws" to refer to the eleven laws, applicable in the federal and private sectors, made applicable to the legislative branch by the CAA and listed in section 102(a) of that Act.